

Ser. No. 10/522,111
Amdt. dated July 29, 2008
Reply to Office Action dated April 2, 2008

PATENTS
PF020097
Customer No. 24498

REMARKS

Claim 1-3 and 10-26 are pending in the application.

Claims 1, 12, 25 and 26 have been amended herein. Claims 27 and 28 have been added to more fully claim the subject matter that applicants regard as their invention. The amendments and new claims are supported by the original disclosure, for example, page 7, line 10 to page 9, line 7. No new matter is added.

Rejection of claim 26 under 35 USC 101

Claim 26 has been amended herein to obviate the rejection. Claim 26 now defines a computer readable medium encoded with a computer program. The claim is directed to statutory subject matter, therefore, it is respectfully requested that the rejection be withdrawn.

Rejection of claims 1-3 and 10-26 under 35 U.S.C.102(b) over Parry et al. (US 6,535,920) (hereinafter Parry)

Applicants' claim 1 includes features not found in the cited reference. For example: allocating a predetermined quantity of resources to said file intended for delayed reading of data,.... and deallocating at the beginning of file, a predetermined quantity of resources depending on the size of the file and on a delay between said read and write pointer.

The Office Action, on page 3, points to Parry, Figs. 5, 6, and 10; col. 10, lines 36-48; and col. 16, lines 4-18, as showing the features of claim 1. However, Parry discloses a circular buffer that provides a fixed quantity of storage. Parry describes in col. 7, line 60 to col. 8, line 12, that the buffer always has a fixed maximum time quantum of data available for reading. There is no suggestion in Parry of allocating or of deallocating a predetermined quantity of resources depending on the size of the file and on a delay between said read and write pointer, as recited in claim 1. Thus, Parry fails to teach or suggest all of the claimed features.

Applicants' claimed invention including the allocating and deallocating, as claimed in claim 1, advantageously provides for an allocation and deallocation of cells in an automatic manner depending on the positions of

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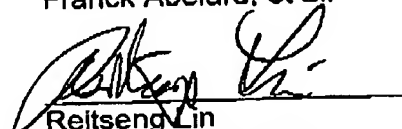
the write and read buffers and on the size of the file. In contrast, Parry only discloses a circular buffer with read and write pointers for the management of time shift. The use of a circular buffer is totally different from the invention of applicants' claim 1.

For at least the foregoing reasons applicants respectfully submit that Parry fails to teach or suggest each and every claimed feature recited in claim 1 and the rejection should be withdrawn.

Dependent claims 2, 3 and 10-28 depend from claim 1 and include all the features of claim 1. Each of the dependent claims also includes further distinguishing features. For at least the foregoing reasons discussed with respect to claim 1, applicants respectfully submit that claims 2, 3 and 10-28 are likewise patentable over Parry.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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Date: July 29, 2008